

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

MARK SCHLEIPFER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 1:06CV109 CDP
	)	
MITEK CORP. d/b/a MTX CORP.,	)	
et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**


Following a hearing on December 11, 2007, I granted plaintiff's motion for corrective notice and appropriate sanctions and ordered defendants to pay plaintiff's reasonable attorneys' fees incurred in connection with bringing the motion. Plaintiff now seeks \$9,607.50 in attorneys' fees for bringing the motion.

I have reviewed the fee application, supporting documentation, and defendants' objections, and after careful consideration I will award plaintiff \$7,875.00 in attorneys' fees for bringing the motion. Although plaintiff's counsel "wrote-off" some attorney time in connection with the motion, I still find the total amount of hours claimed to be excessive. Therefore, I will strike 9.9 hours of claimed time for work that appears to be duplicative of co-counsel's work on the

same matter.<sup>1</sup> The remaining time spent appears to be reasonable and necessary to the filing of the motion. Defendants do not dispute that the hourly rate charged by plaintiff's counsel is reasonable and customary for this legal market.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for attorneys' fees [#75] is granted only as follows: defendants shall pay to plaintiff the amount of **\$7,875.00** in attorneys' fees for bringing the motion for corrective notice and appropriate sanctions.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 13th day of February, 2008.

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<sup>1</sup>I am striking 3.2 hours of time claimed by attorney BBL on 12/5/07 and 6.7 hours of time claimed by attorney TCW on 12/6/07.